

Message Text

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PAGE 01 KUALA 03070 170959Z
ACTION L-03

INFO OCT-01 EA-07 ISO-00 SCA-01 JUSE-00 VO-03 /015 W
-----171317Z 036351 /45

R 170630Z MAY 77
FM AMEMBASSY KUALA LUMPUR
TO SECSTATE WASHDC 7255
INFO AMEMBASSY BANGKOK
AMEMBASSY JAKARTA
AMEMBASSY SINGAPORE
AMCONSUL HONG KONG

DEA HQS WASHDC

LIMITED OFFICIAL USE KUALA LUMPUR 3070

E.O. 11652: N/A
TAGS: PFOR, SNAR, MY, US
SUBJECT: EXTRADITION

REF: KUALA LUMPUR 0531 AND PREVIOUS

1. SUMMARY. THE COURTS HAVE RULED THAT THE GOM DETENTION OF CHUA HAN MOW, WHOSE EXTRADITION WE HAVE REQUESTED, IS ILLEGAL. ALTHOUGH HE WAS IMMEDIATELY REARRESTED AFTER HIS RELEASE, WE HAVE RENEWED OUR EXTRADITION REQUEST WITH MFA. END SUMMARY.

2. THE FEDERAL COURT RULED MAY 12 THAT THE DETENTION OF CHUA HAN MOW (AKA CHUAH HAN MAU) UNDER THE EMERGENCY (PUBLIC ORDER AND PREVENTION OF CRIME) ORDINANCE 1969 WAS ILLEGAL BECAUSE THE GOM HAD NOT FOLLOWED THE PROCEDURES OF THE ORDINANCE IN DETAINING CHUA AND TWO OTHER MALAYSIANS. THE COURT ORDERED CHUA AND THE OTHERS RELEASED. THE THREE WERE RELEASED ON MAY 13, BUT WERE IMMEDIATELY REARRESTED BY THE POLICE UNDER THE SAME EMERGENCY ORDINANCE.

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3. CHUA'S JKTORNEYS HAVE INDICATED THEY WILL CHALLENGE THE VALIDITY OF THE SECOND DETENTION ORDER, BUT THE POLICE HAVE TOLD US PRIVATELY THAT THEY ARE CONFIDENT THE SECOND ORDER WILL STAND BECAUSE THEY WILL FOLLOW ITS PROCEDURES SCRUPULOUSLY. WE DO NOT KNOW NOW WHEN CHUA IS DUE TO BE RELEASED UNDER THE TERMS OF THE SECOND DETENTION ORDER.

4. IN ORDER TO KEEP ACTIVE OUR REQUEST FOR THE EXTRADITION OF
CHUA HAN MAU, ON MAY 16 WE SENT A NOTE TO MFA REFERRING TO OUR
PREVIOUS CORRESPONDENCE ON THIS SUBJECT, NOTING NEWSPAPER REPORTS
THAT CHUA'S DETENTION HAS BEEN DECLARED ILLEGAL BY THE COURTS,
AND RENEWING OUR REQUEST FOR CHUA'S EXTRADITION. WE POINTED
OUT THAT THE DOCUMENTS ORIGINALLY SUBMITTED TO MFA ON THE CASE
REMAIN VALID. (TEXT OF NOTE WILL BE POUCHED TO DEPT.)
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, COURT DECISIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 17-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977KUALA03070
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Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
Errors: N/A
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Format: TEL
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ISecure: 1
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Litigation Codes:
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Original Classification: LIMITED OFFICIAL USE
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Review Content Flags:
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Review Release Date: n/a
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Review Transfer Date:
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SAS ID: 2490122
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION
TAGS: PFOR, SNAR, MY, US, (CHUA HAN MOW)
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/2d853d92-c288-dd11-92da-001cc4696bcc
Review Markings:
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